IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA	No. 3:16-CR-152
Plaintiff	
vs.	Honorable James M. Munley
JOSIAH FERREBEE	
Defendant	

MOTION TO SUPPRESS EVIDENCE

The Defendant, Josiah Ferrebee requests that the court enter an order suppressing and precluding the United States from using the following evidence in its case in chief in the trial in the above matter:

1.   Statements given by Defendant on June 2, 2016;

2.   Messages obtained from a search of Defendants iPhone; and

3.   Pictures and documents obtained from a search of Defendant's desktop computer.

The grounds for this motion as are more particularly set forth in the brief submitted in support are as follows:

1.   The Defendant did not voluntarily consent to the statements taken on June 2, 2016 and he was not provided with his Miranda Rights before said statements were taken; and

2.   The Defendant did not voluntarily consent to the search of his iPhone

and desktop computer.

Respectfully submitted,

/s/ Joseph A. O'Brien
Joseph A. O'Brien, Esq.
Attorney I.D. No.: 22103
OLIVER, PRICE & RHODES
1212 S. Abington Road, PO Box 240
Clarks Summit, PA 18411
Phone: (570) 585-1200
Fax: (570) 585-5100
Email: jaob@oprlaw.com

CERTIFICATE OF SERVICE

I, **JOSEPH A. O'BRIEN, ESQUIRE**, of Oliver, Price & Rhodes, hereby certify that on this date, I caused the foregoing MOTION TO SUPPRESS EVIDENCE via the Court's ECF system on all counsel of record as authorized under Federal Rule 5(b)(2)(E) and local rule 5.6 of the United States District Court for the Middle District of Pennsylvania. I further certify that all counsel of record in the case, but for the Plaintiff, are registered CM/ECF users and that service will be accomplished by the CM/ECF system.

Francis P. Sempa, Esq.
U.S. Attorney's Office
235 North Washington Avenue
Scranton, PA 18503
Email: fran.sempa@usdoj.gov

/s/Joseph A. O'Brien
Joseph A. O'Brien, Esquire

P:\O'BRIEN, JOE\USA\Ferrebee, Josiah\Motion to Suppress Evidence.docx